

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES SECURITIES  
AND EXCHANGE COMMISSION,

Plaintiff,

vs.

CHINA NORTHEAST PETROLEUM HOLDINGS  
LIMITED; WANG HONGJUN (a/k/a Hongjun  
Wang); JU GUIZHI (a/k/a Guizhi Ju); and JIANG  
CHAO (a/k/a Chao Jiang),

Defendants,

JIANG MINGFU (a/k/a Mingfu Jiang); and SUN  
JISHUANG (a/k/a Jishuang Sun),

Relief Defendants.

12-CV-8696-NRB

U.S.D.C. SDNY  
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**[PROPOSED] ORDER DIRECTING THE CLERK OF THE COURT TO ISSUE A  
CERTIFICATE OF DEFAULT AS TO RELIEF DEFENDANT SUN JISHUANG**

**THIS MATTER** came before the Court upon the request of Plaintiff, the United States Securities and Exchange Commission (the “SEC”), for an order directing the Clerk of the Court to issue a Clerk’s Certificate of Default as to Relief Defendant Sun Jishuang (a/k/a Jishuang Sun) (“Sun”). *See* Dkt. No. 133.

**WHEREAS**, this action was commenced on November 29, 2012, with the filing of the SEC’s Complaint (see Dkt. No. 1);

**WHEREAS**, Sun was personally served with copies of the summons and complaint on November 30, 2012, and thereafter appeared through counsel.

**WHEREAS**, by order dated November 27, 2013, the Court permitted Sun’s counsel to withdraw and ordered Sun to “retain new counsel or [if proceeding *pro se*] establish [an] ECF

account[] within thirty (30) days. *See* Dkt. No. 65 at 2. The Court further noted that "failure to appear either through counsel or pro se may result in sanctions and/or entry of a default judgment." *Id.* at 2.

*motion to dismiss judgment.* *dismissal of their pending*

**WHEREAS**, more than thirty (30) days have elapsed since entry of the Court's November 27, 2013 Order and, as reflected in the Court's docket, Sun has not appeared through counsel or *pro se*.


**WHEREAS**, the Court denied Sun's motion to dismiss by order dated March 27, 2014. *See* Dkt. No. 77. As reflected in the Court's docket, Sun never answered or otherwise responded to the SEC's complaint.

**WHEREAS**, on August 4, 2015, the SEC filed an application for entry of a Clerk's certificate of default as to Sun. *See* Dkt. No. 131. As set forth in the SEC's application and supporting materials, (1) Sun is not an infant, in the military, or an incompetent person; (2) Sun ~~has failed to appear, answer the SEC's complaint, or otherwise defend this action since being~~ *not appeared pro se or by counsel since her counsel withdrew on November 27, 2013* served over three months ago; and (3) that the pleading to which no response has been made was properly served on Sun. *See* Dkt. No. ~~131~~<sup>5</sup>-1.

**WHEREAS**, the Court has reviewed the SEC's Application for Issuance of Clerk's Certificate of Default as to Sun (Dkt. No. 131) and attachments thereto, the SEC's letter of October 22, 2015 regarding Sun's default (Dkt. No. 133), and the record and file herein.

NOW, THEREFORE, having found the requested relief to be warranted under existing law, the Court hereby directs the Clerk of the Court to issue a Clerk's Certificate Noting Default as to Sun in the form submitted by the SEC at Dkt. No. 131-2.

IT IS SO ORDERED this 19<sup>th</sup> day of November, 2015.

  
HON. NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE ERN